Search Warrants

1730. SHRI JAI PRAKASH AGARWAL : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether a police officer can search the house premises of a person without making investigation to varify the correctness of the accusations before resorting to search;

(b) if so, the section of the IPC/CrPC and the circumstances under which the officer can do so;

(c) the safeguards available under the law to the affected person if later on it is established that the person searched upon was innocent; and

(d) the action provided in the Constitution against such police officer who acts in a rash manner ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR) : (a) and (b) Under the provisions of Section 165 of the Code of Criminal Procedure, 1973, a police officer may search any place for bonafide investigation of any offence, after recording in writing the grounds for doing so and specifying the thing for which the search is being made.

(c) and (d) Safeguards are built into the provisions of Section 165 (1) to (5) such as the recording of reasons for the search, observing the requirements under Section 100, Code of Criminal Procedure, 1973 which provides for the presence of two independent respectable persons to be witness to the search, forthwith sending the records to the nearest Magistrate and furnishing a copy to the occupier of the place searched. While conducting a search, if a Police Officer acts in contravention of the law, action can be taken against him in accordance with the relevant provisions of the Indian Penal Code.

Bhopal Gas Tragedy

1731. SHRI SUSHIL CHANDRA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) the total amount of compensation so far paid to the victims of the Bhopal gas tragedy of 1984;

(b) the different categories under which the compensation has been paid and the extent of amount falling under each of these categories; and

(c) the total money out of the amount deposited by the Union Carbide still lying with the Supreme Court of India ?

THE MINISTER OF STATE OF THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SIS RAM OLA) : (a) An amount of Rs. 881.88 crores has been paid to the gas victims till 31.01.1997.

(b) The following amount of compensation has been paid to the gas victims under various categories upto 31.01.1997.

01 Category (Personal injury)	Rs. 808.57 crores
04 Category (Death)	Rs. 73.31 crores

(c) No amount out of the money deposited by the Union Carbide is lying with the Supreme Court of India.

Courts for Bhopal Gas Tragedy Victims

1732. SHRI SUSHIL CHANDRA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) the number of courts of Deputy Commissioners presently functioning at Bhopal under the Bhopal Gas Leak Disaster (Processing of claims) Act and the number out of them are functioning without the presiding officers;

(b) the number of Additional Commissioners posted to hear the appeals under the aforesaid Act;

(c) the number of posts lying vacant; and

(d) the time by which these posts are likely to be filled up ?

THE MINISTER OF STATE OF THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SIS RAM OLA) : (a) Presently 37 claims tribunals are functioning for the disposal of cases. For filing of new claims, 56 courts are functioning and Deputy Commissioners have been made in-charge of more than 1 court.

(b) 6 Additional Commissioners have been posted for disposal of the appeals.

(c) 4 posts of Additional Commissioners (Judicial) are vacant.

(d) The posts will be filled up as and when the judges are made available by the Madhya Pradesh High Court.

Action Plan for Bhopal Gas Tragedy

1733. SHRI SUSHIL CHANDRA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the period of the action plan of the Bhopal Gas Leak Tragedy has been extended;

(b) if so, the details thereof;

(c) the enlarged scope of the action plan alongwith the pattern of sharing the items between the Union Government and the State Government of Madhya Pradesh;

(d) whether the Government of Madhya Pradesh have submitted audited statement of the expenditure incurred under the action plan; and

(e) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SIS RAM OLA) : (a) to (c) The period of the Action Plan has been extended